

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

MICHAEL D. MAZE,	:	Case No. 1:20-cv-402
	:	
Plaintiff,	:	Judge Timothy S. Black
	:	Magistrate Judge Karen L. Litkovitz
vs.	:	
	:	
IRONTON POLICE DEPARTMENT, <i>et</i>	:	
<i>al.</i> ,	:	
	:	
Defendants.	:	

**DECISION AND ENTRY  
ADOPTING THE REPORT AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE (Doc. 5)**

This case is before the Court pursuant to the Order of General Reference to United States Magistrate Judge Karen L. Litkovitz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court and, on July 2, 2020, submitted a Report and Recommendation. (Doc. 5). No objections were filed.

As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that the Report and Recommendation (Doc. 5) should be and is hereby **ADOPTED** in its entirety.

Accordingly, for the reasons stated above:

- 1) Pursuant to 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b), the complaint (Doc. 4) is **DISMISSED with prejudice**, with the exception of Plaintiff's claims against Defendants Kersten Harris and Chad Gue, in their individual

capacities, for excessive force, and against Defendants Mark Majher and Brian Chaffins, in their individual capacities, for failure to protect.

- 2) Plaintiff's claim that his charges should be dropped is **DISMISSED without prejudice**.
- 3) The Court **DECLINES** to exercise supplemental jurisdiction under 28 U.S.C. § 1367(c)(3) over any state-law claims against dismissed Defendants Ironton Police Department, Lawrence County Sheriff's Department, Michael Delawder, St. Mary's Hospital, and the John Doe doctor and hereby **DISMISSES without prejudice** any such claims.

**IT IS SO ORDERED.**

Date: 8/28/2020

/s/ Timothy S. Black  
Timothy S. Black  
United States District Judge